

## **Chapter 26**

### **MEETINGS**

**[HISTORY: Adopted by the Mayor and Council of the City of Seat Pleasant at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Amendments noted where applicable.]**

#### **GENERAL REFERENCES**

Adoption of legislation — See Ch. 22.

#### **ARTICLE I City Council Meetings**

##### **§ 26-1. Purpose.**

The City Council of the City of Seat Pleasant recognizes that in order to enhance the concept of effective and democratic government, it is essential that a legislative body be given the power to preserve order and decorum during legislative meetings so that the true deliberative process will not be disturbed. For this purpose, the following City Council decorum Article is adopted.

##### **§ 26-2. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

CLERK — The Clerk of the City Council.

RESIDENT — Any person having a domicile or place of business within the City of Seat Pleasant or who is a taxpayer thereof.

##### **§ 26-3. Agenda; addressing the Council.**

- A. Notice. The Clerk shall make public one week in advance a preliminary agenda containing all business to be discussed at the next regular meeting of the City Council.
- B. Requests to address Council. Written requests to address the Council shall be submitted not less than 24 hours in advance of the meeting. The Clerk shall place the names of those addressing the Council on the agenda. If time permits, persons whose names do not appear on the agenda will be permitted to speak at the discretion of the Council President.
- C. Written request by resident. Any resident who wishes to address the Council may do so by notifying the Clerk, in writing, of his/her intention to speak.
- D. Written request by nonresident. Any nonresident wishing to address the Council shall submit to the Clerk a written request to be heard and a statement of his/her

interest in the matter being considered. The Clerk shall present such request to the Council President for approval before placing the name on the agenda. Upon timely application, a nonresident shall be permitted to address the Council when the applicant claims an interest in a matter on the Council's agenda and he/she is so situated that the disposition of the agenda may, as a practical matter, impair or impede his/her ability to protect that interest. The Council President shall have the power to deny a nonresident the opportunity to address the Council when his/her interest in the matter is not deemed by the Council President to be sufficient or where the applicant's interest can be adequately represented by residents addressing the Council.

- E. Reading of protests, etc. Upon complying with the provisions of this section, interested persons may, at their discretion, address the Council by the reading of protests, petitions or communications relating to sewer and street proceedings, hearings on protests, appeals and petitions or similar matters, in regard to matters then under consideration.<sup>1</sup>
- F. Written communication. All interested parties or their authorized representatives may address the Council by written communication regarding matters under the Council's consideration.
- G. Agenda. Any person wishing to address the Council regarding a topic which has not been placed on the preliminary Council agenda may submit to the Clerk a written request that such topic be placed on the agenda. Such request must be received not less than 24 hours in advance of the meeting. The Council President shall have the power to place or refuse to place such additional topics on the agenda. Any matter not submitted to the Clerk in a timely manner as set forth in this section may be considered and acted on by the Council if a majority of the Council members present and voting vote to consider the matter.
- H. Procedure.
  - (1) No person shall address the Council without first being recognized by the Council President.
  - (2) Each person addressing the Council shall step up to the microphone provided for the use of the public and give his/her name and address in an audible tone of voice for the records, state the subject he/she wishes to discuss, state whom he/she is representing if he/she represents an organization or other persons and, unless further time is granted by majority vote of the Council, shall limit his/her remarks to five minutes. All remarks shall be addressed to the Council as a whole and not to any member thereof. No person other than members of the Council and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Council, without the permission of the Council President. No question may be asked of a Council member or a member of the city staff without the permission of the Council President.

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<sup>1</sup>. Editor's Note: Amended at time of adoption of Code; see Chapter 1, General Provisions, Art. I.

- (3) In order to expedite matters and to avoid repetitious presentations, whenever any group of persons wishes to address the Council on the same subject matter, it shall be proper for the Council President to request that a spokesperson be chosen by the group to address the Council and, in case additional matters are to be presented by any other member of said group, to limit the number of such persons addressing the Council.
- (4) After a motion has been made or a public hearing has been closed, no member of the public shall address the Council from the audience on the matter under consideration without first securing permission to do so by a majority vote of the City Council.

**§ 26-4. Rules of decorum.**

- A. Council President. The Council President shall have the power to preserve strict order and decorum at all meetings of the Council.
- B. Council members. While the Council is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council nor disturb any member while speaking or refuse to obey the orders of the Council President. Members of the Council shall not leave their seats during a meeting without first obtaining the permission of the Council President.
- C. Employees. Members of the city staff and employees shall observe the same rules of order and decorum as are applicable to the City Council, with the exception that members of the city staff may leave their seats during a meeting without first obtaining the permission of the Council President.
- D. Persons addressing the Council. Any person making personal, impertinent, slanderous or profane remarks or who willfully utters loud, threatening or abusive language or who engages in any disorderly conduct which would impede, disrupt or disturb the orderly conduct of any meeting, hearing or other proceeding shall be called to order by the Council President and, if such conduct continues, may, at the discretion of the Council President, be ordered barred from further audience before the Council during that meeting.
- E. Members of the audience. No person in the audience shall engage in disorderly conduct such as handclapping, stamping of feet, whistling, using profane language, yelling and similar demonstrations, which conduct disturbs the peace and good order of the meeting.
- F. Persons authorized to be within rail. No person except members of the Council and the city staff shall be permitted to approach the Council without the consent of the Council President.

**§ 26-5. Enforcement.**

- A. Warning. All persons shall at the request of the Council President be silent. If, after receiving a warning from the Council President, a person persists in disturbing the

meeting, said Council President may order him/her to remove himself/herself from the meeting. If he/she does not remove himself/herself, the Council President may order the Sergeant at Arms to remove him.

- B. Removal. The Chief of Police, or such members or members of the Police Department as the Council President may designate, shall be Sergeant at Arms of the Council meetings. He/she or they shall carry out all order and instructions give by the Council President for the purpose of maintaining order and decorum at the Council meeting. Upon instruction of the Council President, it shall be the duty of the Sergeant at Arms to remove from the meeting any person who intentionally disturbs the proceedings of the Council.
- C. Resisting removal. Any person who resists removal by the Sergeant at Arms shall be charged with violating § 26-4.
- D. Motions to enforce. Any Council member may move to require the Council President to enforce these rules, and the affirmative vote of a majority of the Council shall require him/her to do so.
- E. Adjournment. In the event that any meeting is willfully disturbed by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and when order cannot be restored by the removal of individuals who are creating the disturbance, the meeting may be adjourned and the remaining business considered at the next regular meeting.
- F. Special meeting. If the matter being addressed prior to adjournment is of such a nature as to demand immediate attention, the Council President may call a special meeting and assess the cost of that meeting to the disrupting parties if those parties are identifiable.

**§ 26-6. Cameras and recording devices.**

- A. Cameras, including television and motion-picture cameras, electronic sound recording devices and any other mechanical, electrical or electronic recording devices may be used in the public section of the Council Chamber but only in such a manner as will cause a minimum of interference with or disturbance of the proceedings of the Council. No such recording devices may be used on the floor of the Council while the Council is in session except by special permission from the Council President.
- B. Supplemental lighting. Supplemental lighting for television and motion-picture cameras shall be used only with the exercise of extreme discretion with regard to the intensity and duration of such lighting and with a view to creating the least amount of interference with or disturbance of the proceedings of the Council and the least amount of discomfort to members of the public in attendance.
- C. Disruptive lighting. The Council President shall have the authority to determine whether the intensity and/or duration of supplemental lighting is such that it disturbs the proceedings of the Council and, upon making such a determination, to require that the use of such lighting be discontinued.